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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,570	03/19/2004	Hideki Hagiwara	393032044200	1683

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EXAMINER

SUTHERS, DOUGLAS JOHN

ART UNIT	PAPER NUMBER
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2615

MAIL DATE	DELIVERY MODE
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04/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/805,570	Applicant(s) HAGIWARA, HIDEKI	
	Examiner DOUGLAS SUTHERS	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

djs

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2615.
2. Claims 7 and 8 have been added. Claims 1-8 are pending and are addressed in this office action.

Drawings

3. The drawings are objected to because figures 7-10 contain language inconsistent with the specification. All steps setting variables seem to be opposite of specification. The specification convention of “setting ‘destination’ to ‘source’” is suggested. Although the previous amendment makes mention of amended drawings, none are found in the file.
4. The drawings are objected to because the amended specification describes opposite views that noted on the drawings with respect to figure 7, step S4 and S5.
5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by the Roland VS-1680 owners manual.

8. Regarding claim 1, Roland discloses a digital mixer including a display (page 16, item 1), a plurality of cursor controls (11), an increase/decrease control (13), and a plurality of channel strips for controlling parameters of input channels associated

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therewith (page 14), on a control panel, said channel strips each having a level setting control (6) and a selection switch (4), said digital mixer comprising:

- a view selector (page 16, item 2) for selecting a view to be displayed on said display;

- a level controller (portion of unit that implements fader control, page 14, item 6) for detecting operation of said level setting control of said channel strip and controlling an input signal level for an input channel corresponding to said operated channel strip;

- a channel selector (portion of unit that implements selector control, page 14, item 4) for detecting operation of said selection switch of said channel strip and bringing parameters of an input channel corresponding to said operated channel strip into an editable state on the view (page 35, "track mixer condition");

- an assignor for selecting any one parameter among the parameters of the input channel to be assigned said increase/decrease control (portion of unit that implements increase/decrease control);

- a cursor controller (portion of unit that implements cursor control) for detecting operation of said cursor control and controlling a position of a cursor on the view; and

- a parameter controller (portion of unit that implements display and parameter control) for detecting operation of said increase/decrease control, judging, when the operation is detected (when value dial is changed, page 35, "change the settings value"), whether or not said selection switch of any of said channel strips is operated at the same time (is a channel select button active?), and when judging that no selection switch is operated at the same time (no channel select button active, maintains current

condition), changing a value of a parameter displayed at the position of the cursor in accordance with the operation of said increase/decrease control (page 35, “select the setting you want to change”), while when judging that any selection switch is being operated at the same time (page 35, “track mixer condition”), changing a value of a parameter selected by said assignor among parameters of an input channel corresponding to a channel strip having said operated selection switch in accordance with the operation of said increase/decrease control.

9. Regarding claim 2, Roland discloses wherein said increase/decrease control is a rotary encoder (page 16) and/or an increase switch and a decrease switch.

10. Regarding claim 3, Roland discloses further comprising:

a display controller that, when the value of the parameter selected by said assignor is changed by the parameter controller, updates the value of said parameter on the view if the value of that parameter is displayed on the view which is displayed on said display (cursor, page 35, “select the setting you want to change”).

11. Regarding claim 4, Roland discloses wherein when the value of the parameter selected by the assignor is changed by said parameter controller, said display controller displays the value of the that parameter as an overlap view on the view in displayed on said display, if the value of that parameter is not displayed on the view (page 42, “Track Mixer Settings” diagram).

12. Regarding claim 6, Roland discloses further comprising a plurality of view selection controls each of which corresponds to a view wherein said view selector selects a view to be displayed on said display which is corresponded to an operated view selection control among a plurality of candidate views (page 16, items 2).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Roland VS-1680 owners manual.

15. Regarding claim 7, Roland discloses further comprising an assignment control, wherein when the operation of said increase/decrease control is detected, if said assignment control is being operated at the same time, said parameter controller does not change a value of any parameter (end of page 41 [ENTER] key not yet engaged).

Although Roland does not expressly disclose using the cursor controls as the increase/decrease control, it was well known in the art that pushbuttons on an interface may be used for multiple functions. The motivation use the increase/decrease control

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for both would have been to allow for control of parameter selection (before enter key selected) and parameter editing (after enter key selected), with a minimum number of controls, thus reducing costs. Therefore at the time of invention, it would have been obvious to one of ordinary skill in the art to further comprise wherein said assignor selects any one parameter in accordance with the operation of said increase/decrease control.

16. Regarding claim 8, Roland discloses wherein when the assignor selects any one parameter in accordance with the operation of said increase/decrease control, a display controller displays the selected parameter as an overlap view on the view displayed on said display (page 42, "Track Mixer Settings" diagram).

17. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Roland VS-1680 owners manual, in view of Hugley (US 2003/0144997 A1).

18. Regarding claim 5, Roland does not expressly disclose a predetermined period.

Hugley discloses displaying an overlap view on a view for a predetermined period and then erases the overlap view from the view (paragraphs [0022] and [0023]).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the user interface techniques and the timeout period of Hugley in the system of Roland. The motivation for doing so would have been to present

information when relevant to the user, but in a manner that does not require user intervention to exit. Therefore, it would have been obvious to combine Hugley with Roland to obtain the invention as specified in claim 5.

Response to Arguments

19. Applicant's arguments filed January, 28th, 2008 have been fully considered but they are not persuasive.

20. In general the applicant argues that parameter values of an input channel should only be changed upon selection switch activation. It is the examiners position that such parameter values would only be under the editing cursor if such switch where activated in the Roland reference. If the switch is not active, the editing cursor would be on any field as necessitated by the given view.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOUGLAS SUTHERS whose telephone number is (571)272-0563. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571)272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Douglas Suthers/
Examiner, Art Unit 2615

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2615